

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NELLIE JONES, *et al.*,

Case No.: 11-CV-3470-YGR

Plaintiffs,

**ORDER GRANTING AMENDED PETITION FOR
MINOR'S COMPROMISE AND APPOINTMENT
OF GUARDIAN AD LITEM**

vs.

REDACTED VERSION

CITY OF OAKLAND, *et al.*,

Defendants.

The Court having considered the Plaintiffs' Administrative Motion to File Under Seal the Second Amended Petition to Appoint GAL and Compromise Minor's Claim (Dkt. No. 42), and the supplemental declaration filed October 11, 2013 (Dkt. No. 45), and good cause having been shown, this Court hereby makes the following orders:

1. The Administrative Motion to File Under Seal is **GRANTED**. The redacted portions of the application contain confidential identifying information pertaining to the minor plaintiff, D.S.J. ("Minor Plaintiff D.S.J.").

2. The application for appointment of Guardian Ad Litem for Minor Plaintiff D.S.J. is **GRANTED**. Petitioner Camelia Menciau is appointed to be the Guardian Ad Litem of her biological daughter Minor Plaintiff D.S.J. Petitioner is authorized and directed to execute any and all documents reasonably necessary to carry out the terms of the settlement.

3. The Petition for Compromise of Minor D.J.'s claims is **GRANTED**. Minor Plaintiff D.S.J.'s claims against the Defendants are hereby compromised in consideration of a total sum of \$135,000.00. The amount of \$33,750.00 shall be paid to the Law Offices of John L. Burris for attorney's fees. The amount of \$4,000.00 shall be paid to the Law Offices of John L. Burris for legal costs associated with prosecuting Minor Plaintiff's claims. The sum of \$97,250.00 shall be placed in

1 an interest-bearing blocked trust account at an FDIC-insured banking institution for the benefit of
2 Minor Plaintiff D.S.J. The funds shall be made available to Minor Plaintiff D.S.J. on her 18th
3 birthday.

4 4. The Court makes the following additional orders concerning the portion of funds ordered to
5 be deposited in a blocked account:


6 (a) Counsel for Plaintiffs and Petitioner must, within 48 hours of receipt of the funds described
7 in paragraph 3, deposit those funds to be placed in the blocked trust account. Counsel for Plaintiffs
8 and Petitioner must deliver to each depository at the time of deposit three copies of the Order To
9 Deposit Money Into Blocked Account, which is signed contemporaneously with this Order, and three
10 copies of a Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account
11 (refer to California Judicial Council Form MC-356). Counsel for Plaintiffs and Petitioner shall file a
12 copy of the receipt with this Court within 15 days of the deposit.

13 (b) The blocked account belongs to Minor Plaintiff D.S.J. Minor Plaintiff D.S.J. was born
14 [REDACTED] No withdrawals of principal or interest may be made from the blocked account
15 without a further written order under this case name and number, signed by a judicial officer, and
16 bearing the seal of this Court, until the minor attains the age of 18 years. When Minor Plaintiff D.S.J.
17 attains the age of 18 years, the depository, without further order of this Court, is authorized and
18 directed to pay by check or draft directly to Minor Plaintiff D.S.J., upon proper demand, all moneys
19 including interest, deposited under this Order. The money on deposit is not subject to escheat.

20 This Order terminates Docket No. 42.

21 **IT IS SO ORDERED.**

22 Dated: 10/23/13

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24 YVONNE GONZALEZ ROGERS
25 UNITED STATES DISTRICT COURT JUDGE
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